## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			22-Mar-06	APPL. S. N:	09941387			
To Exami	iner:		TRINH, SONNY K.	Art Unit	2687			
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJECT	<b>r:</b> Decisio	n on Tern	ninal Disclaimer(T.D.) filed:					
form para or have a	agraphs i iny quest	dentified l ions, plea	by this informal memo in your nex se see me or the Special Program	results as set forth below. If you a t Office action to notify applicant of Examiner. THIS IS AN INFORMAL, OF RECORD IN THE APPLICATION F	f the T.D. If you disagree			
please ini	itial, date	and retu	rn this memo to me. THANK YOU.					
Image: section of the content of the	The T.D.	is PROPE	R and has been recorded (see 14.2	23).				
	The T.D.	is NOT P	ROPER and has not been accepted	for the reason(s) checked below (s	see 14.24):			
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account						
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person who signed the T.D.:						
			is not an attorney "of record" (see	e 14.29 and 14.29.01).				
			has failed to state his/her capacity	y to sign for the business entity (se	e 14.28).			
			is not recognized as an officer of t	the assignee (see 14.29 & possible	14.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
		The T.D. is not signed (see 14.26 & 14.26.03).						
The serial number of the application ( patenting rejection is missing or incor The serial number of this application disclaimed is missing or incorrect (see		I number of the application (or the rejection is missing or incorrect (	number of the patent) which form see 14.32).	s the basis for the double				
		l number of this application (or the d is missing or incorrect (see 14.2	e number of the patent in reexam of 14.27.02 or 14.26.05).	or reissue cases being				
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).						
		Other:						
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.						
have ap	propriate	ly notified	applicant(s) of the status of the T	erminal Disclaimer filed in this case	e.			
Ex.Initials	i:		Date:		Log Date:			

Application Number	_   F		Applicant(s)/Patent under Reexamination				
Document Code - DISQ		Internal Document – DO NOT MAIL		NOT MAIL			
TERMINAL DISCLAIMER	▼ APPROVED		☐ DISAPPROVED				
Date Filed : July 23, 2004	This patent is subject to a Terminal Disclaimer						
			·				
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

07/23/200 01 FC:18

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A PRIOR PATENT**

Docket Number (Optional) MM4463

In re Application of: Katsuya ONODERA

RECEIVED

Application No.: 09/941,387

	JUL 2 7 <sup>2004</sup>					
Filed: August 28, 2001						
For: COMMUNICATION SYSTEM	Technology Center 2600					
JUC VICTOR Co.	-					
The owner, of Japan, red., o hereby disclaims, except as provided below, the instant application, which would extend beyout. S.C. 154 and 173, as presently shorted for the control of the	percent interest in the instant application terminal part of the statutory term of any patent granted on and the expiration date of the full statutory term defined in 35 and by any terminal disclaimer, of prior Patent No. that any patent so granted on the instant application shall be it and the prior patent are commonly owned. This agreement plication and is binding upon the grantee, its successors or					
on the instant application that would extend to U.S.C. 154 and 173 of the prior patent, as preselater: expires for failure to pay a maintenance competent jurisdiction, is statutorily disclaimed in	the expiration date of the full statutory term as defined in 35 ently shortened by any terminal disclaimer, in the event that it fee, is held unenforceable, is found invalid by a court of a whole or terminally disclaimed under 37 CFR 1.321, has all it, is reissued, or is in any manner terminated prior to the ortened by any terminal disclaimer.					
Check either box 1 or 2 below, if appropriate.						
1. For submissions on behalf of an organiza agency, etc.), the undersigned is empower	ition (e.g., corporation, partnership, university, government ered to act on behalf of the organization.					
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.  2.   The undersigned is an attorney or agent of record.						
2. X The undersigned is an attorney or agent of record.	July 20, 2004					
SSESHE1 00000010 011944 09941387	Signature / Date  Eugene Lieberstein					
110.00 DA	Typed or printed name					
_	212-278-1307					
	Telephone Number					
Terminal disclaimer fee under 37 CFR 1.20(d) include	· ·					
	become public. Credit card information should not					
6-1-6-4-4-4-4-5- B. 44. 41.	· · · · · · · · · · · · · · · · · · ·					

luded on this form. Provide credit card information and authorization on PTO-2038.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.